

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

**JOSEPH BREITFELDER,
PLAINTIFF**

**CASE NO. C-1-01-617
(BECKWITH, J.)
(HOGAN, M.J.)**

VS.

**SIMON L. LEIS, JR., ET AL.,
DEFENDANTS**

ORDER

Before the Court is Defendants' unopposed Motion for Sanctions (Doc. 24). It was represented that an independent medical examination was scheduled for February 25, 2003 with Kenneth J. Manges, Ph.D. Plaintiff failed to keep the scheduled appointment with Dr. Manges. As a result, the cost to Defendants is \$250 for Dr. Manges and \$420 in legal fees. Accordingly, Plaintiff shall reimburse Defendants in the amount of \$670.00, payable on or before December 31, 2003.

A second appointment for an independent medical examination shall be scheduled immediately. Counsel shall confer and schedule a date convenient to both Dr. Manges and Plaintiff.

The deadline for filing expert reports is extended to the Dispositive Motion deadline of October 31, 2003 and will not be extended again.

IT IS THEREFORE ORDERED THAT Defendants' Motion for Sanctions be granted.

September 9, 2003

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge